

## AMENDMENT

### Amendments to the Claims

1. (Currently amended) An apparatus for diverting digestive secretions discharged into a patient's intestinal tract from at least one of the duodenal papilla, the apparatus comprising:
  - a) ~~an a tubular lined anchor, wherein when the anchor is adapted to be positioned in deployed, a proximal end and a distal end of the anchor attach to the duodenum wall proximally and distally respectively about the adjacent the major duodenal papilla, said anchor for the creation of a substantially isolated chamber being further adapted to define an annulus between the anchor and the duodenum wall, the anchor further comprising an opening extending through the anchor for the passage of digestive secretions from the generally isolated chamber into the intestinal tract when positioned in the duodenum;~~
  - b) a diversionary tube comprising a proximal end in fluid communication with the annulus opening and being operative to receive digestive secretions discharged therefrom ~~from the major duodenal papilla into the annulus,~~

a distal end which when deployed is operative to discharge the digestive secretions into the alimentary intestinal tract, and

~~a tube wall having an inner surface and an outer surface, the tube wall inner surface defining passage extending between the proximal and distal ends;~~

whereby when deployed, the passage apparatus is operative to transfer the digestive secretions from the proximal end isolated chamber adjacent the anchor to the distal end ~~and said tube wall separates the digestive secretions from food in the small intestine while exposing a substantial portion of the intestinal tract about the apparatus to contact with food.~~
2. – 10. (Canceled).
11. (Currently amended) The apparatus of claim [[14]] 1, wherein the tube wall is substantially impermeable.

12. (Currently amended) The apparatus of claim ~~[[14]]~~ 1, wherein the tube wall is at least partially permeable to water.

13. (Original) The apparatus of claim 12, wherein the tube wall has an osmotic gradient.

14.-15. (Canceled)

16. (Currently amended) The apparatus of claim ~~[[14]]~~ 1, wherein the tube is a sufficient length so that when deployed the distal end of the tube is positioned in the jejunum.

17. (Currently amended) The apparatus of claim ~~[[14]]~~ 1, wherein the tube is a sufficient length so that when deployed the distal end of the tube is positioned in the ileum.

18. – 19. (Canceled).

20. – 25. (Withdrawn).

26. - 34. (Cancelled)

35. (Previously presented) The apparatus of claim 1, wherein the anchor comprises a stent.

36. (Canceled)

37. (Currently amended) The apparatus of claim ~~[[36]]~~ 35, wherein the ~~lined stent~~ anchor is generally hourglass-shaped.

38. – 39. (Canceled)

40. (Currently amended) The apparatus of claim ~~[[39]]~~ 1, wherein the liner ~~lined~~ material is the same material as the tube wall.
41. (Currently amended) The apparatus of claim ~~[[14]]~~ 1, wherein the tube wall further comprises a stiffening component.
42. (Canceled)
43. (Currently amended) The apparatus of claim ~~[[14]]~~ 1, wherein the tube wall is biodegradable.
44. (New) The apparatus of claim 35, wherein the stent is expandable to attach the anchor to the duodenum.
45. (New) The apparatus of claim 37, wherein the opening extends into a generally open passageway extending between the proximal end and the distal end.
46. (New) The apparatus of claim 45, wherein the opening extends into a narrow waist of the passageway.
47. (New) The apparatus of claim 1, wherein the diversionary tube has a cross section substantially smaller than the passageway to allow passage of food around the diversionary tube.
48. (New) The apparatus of claim 1, wherein the anchor is sized to expose a substantial portion of the duodenum to contact with food.
49. (New) The apparatus of claim 1, wherein the diversionary tube has a cross section substantially smaller than the small intestine to allow passage of food around the diversionary tube.